

Subject:HRC 17: Instructions for Resolution on "Cultural Rights"

UNCLAS STATE 060075

SENSITIVE

SIPDIS

E.O. 13526: N/A

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SUBJECT: HRC 17: Instructions for Resolution on "Cultural Rights"

REF: A) 11 FTR 12178

1. (SBU) The Department authorizes USDEL to join consensus, and vote YES if there is a vote, on the resolution entitled "Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity." USDEL is requested to notify the Department if the resolution text changes from the wording contained in REFTEL.

2. (SBU) USDEL is further instructed to deliver the following explanation of position:

Mr. President, the United States continues to support the promotion

of cultural diversity, pluralism, tolerance, cooperation and dialogue among people from all cultures. In this spirit, we are pleased to join consensus. Cultural diversity has played a critical role in our own country's history, which shows that cultural diversity can strengthen human rights. Respect for our differences has contributed to the significant legal protections for members of minority groups.

Human rights are universal, and all governments are responsible for abiding by their obligations under international human rights law. We believe that respect for human rights also substantially enhances respect for diversity. We do have concerns, however, that the concept of cultural diversity, particularly when espoused in a human rights context, could be misused. Cultural diversity should neither be used to undermine or limit the scope of human rights, nor to justify or legitimize human rights abuses. We would like to reinforce that efforts to promote cultural diversity should not infringe on the enjoyment of human rights. Instead, cultural diversity and international human rights can be mutually reinforcing concepts that help us all achieve a better world.

Certain cultural rights are set forth in Article 27 of the UN Declaration on Human Rights, as well as in other human rights

instruments. The relevant instruments state that economic, social and cultural rights are to be progressively realized. With regard to the paragraphs of this resolution that take note of the Independent Expert's report and of the experts' meeting, we disagree with the conclusions of that report and meeting insofar as they purport to recognize a new right to access and enjoy cultural heritage.

Thank you, Mr. President.

CLINTON